

## **Exhibit A**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SUSANNE STONE MARSHALL; ADELE FOX;  
MARSHA PESHKIN; RUSSELL OASIS; A & G  
GOLDMAN PARTNERSHIP; and PAMELA  
GOLDMAN,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. \_\_\_\_\_ (SMB)

**[PROPOSED] ORDER  
ENFORCING PERMANENT  
INJUNCTION AND AUTOMATIC  
STAY**

Upon consideration of the Application for Enforcement of Permanent Injunction and Automatic Stay (the “Application”) in the above-captioned adversary proceeding by Irving H. Picard, trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”) and the estate of Bernard L. Madoff, individually; and upon the accompanying Memorandum of Law dated March 10, 2014; the Complaint, dated March 10,

2014; the Declaration of Keith R. Murphy, dated March 10, 2014; the Affidavit of Matthew Cohen, sworn to on March 10, 2014; and the Notice of the Application; and upon all of the pleadings and prior proceedings in this and related actions; and upon the hearing held on \_\_\_\_\_, 2014:

IT IS HEREBY ORDERED:

- A. The Application is granted.
- B. *Goldman v. Capital Growth Co.*, No. 9:14-cv-80012-KAM (S.D. Fla. filed Jan. 6, 2014) and *Marshall v. Capital Growth Co.*, No. 9:10-cv-80252-KLR (S.D. Fla. filed Feb. 16, 2010) (the “Class Actions”) violate the permanent injunction order issued by this Court in *Picard v. Picower*, No. 09-1197 (Bankr. S.D.N.Y. Jan. 13, 2011) and the automatic stay provisions of Bankruptcy Code § 362(a) and SIPA § 78eee(b)(2)(B)(i).
- C. Pursuant to section 105(a) of the Bankruptcy Code, Susanne Stone Marshall (a/k/a Suzanne Stone Marshall), Adele Fox, Marsha Peshkin, Russell Oasis, Pamela Goldman, and A&G Goldman Partnership (collectively, the “Class Action Plaintiffs”), and anyone acting on behalf of the Class Action Plaintiffs, are hereby preliminarily enjoined from proceeding with the Class Actions or any other action related to BLMIS against the estate of Jeffrey M. Picower (“Picower”) and any related defendants (collectively, the “Picower Defendants”)<sup>1</sup> without leave of this Court.

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<sup>1</sup> The “Picower Defendants” are: Capital Growth Company; Decisions, Inc.; Favorite Funds; JA Primary Limited Partnership; JA Special Limited Partnership; JAB Partnership; JEMW Partnership; JF Partnership; JFM Investment Companies; JLN Partnership; JMP Limited Partnership; Jeffrey M. Picower Special Company; Jeffrey M. Picower, P.C.; the Picower Foundation; John Doe Trustees of the Picower Foundation; the Picower Institute of Medical Research; the Trust F/B/O Gabrielle H. Picower; Barbara Picower, individually, and as executor of the estate of Jeffrey M. Picower, and as Trustee for the Picower Foundation and for the Trust F/B/O Gabriel H. Picower.

D. This Court shall retain exclusive jurisdiction over the implementation and interpretation of this Order.

Dated: New York, New York  
\_\_\_\_\_, 2014

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HONORABLE B STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE